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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No. 23091/9001	
	First Named Inventor	
	James Prescott Curry	
	Express Mail Label No.	EL4171147805US

Assistant Commissioner for Patents  
BOX PATENT APPLICATION  
Washington, D.C. 20231

Sir:

Enclosed for filing is a complete patent application, entitled "METHOD AND SYSTEM FOR PROVIDING ON-LINE WELLNESS AND RETAIL ACCESS THROUGH A DISTRIBUTED NETWORK" and invented by James Prescott Curry including the following documents:

Specification including Claims - 28 pages  
Abstract of the Disclosure  
Drawings - 8 sheets  
Return Receipt Postcard  
Declaration, Power of Attorney - 2 pages  
Verified Statement (Declaration) Claiming Small Entity Status  
Check No. 101645 for \$959.00 for filing fee

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	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) BASIC FEE \$380.00
TOTAL CLAIMS		80 - 20 =	60	X \$9.00	= \$540.00
INDEPENDENT CLAIMS		4 - 3 =	1	X \$39.00	= 39.00
TOTAL FILING FEE ---					\$959.00

This application claims the benefit of prior filed co-pending provisional patent application number 60/118,262 filed on February 2, 1999.

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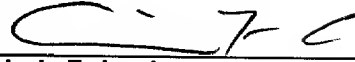
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Date: November 24, 1999  
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Wkg Atty. CFL  
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Applicant or Patentee: James Prescott Curry Attorney's Docket No. 23091/9001

Serial or Patent No.:  
Filed or Issued:

# VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY

## STATUS (37 CFR 1.9 (f) and 1.27(b)) - INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "METHOD AND SYSTEM FOR PROVIDING ON-LINE WELLNESS AND RETAIL ACCESS THROUGH A DISTRIBUTED NETWORK" described in

☒ the specification filed herewith.

☐ Application Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

☐ Patent No. \_\_\_\_\_ issued \_\_\_\_\_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

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NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities.  
(37 CFR 1.27)

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I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF INVENTOR:  
James Prescott Curry

NAME OF INVENTOR:

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February 1, 1999

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Signature of Inventor

Date

Date 11.23.99

Date

U.S. PATENT AND TRADEMARK OFFICE

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# METHOD & SYSTEM FOR PROVIDING ON-LINE WELLNESS AND RETAIL ACCESS THROUGH A DISTRIBUTED NETWORK

## BACKGROUND OF THE INVENTION

### 5           1.       Technical Field of the Invention

This application claims priority from U.S. Provisional Patent Application No. 60/118262, filed February 2, 1999, which is incorporated by reference herein.

10           The present invention relates to providing on-line customer access to wellness information and retail products through a distributed access network, and in particular, to a method and system that provides distributed access to fitness, nutrition, and wellness information and related products.

### 2.       Description of the Related Art

15           Advances in distributed technology such as the Internet provide access to a wide range of information. Users can log onto distributed networks at any time and receive a wide range of information ranging from the news to commercial offers. Vast numbers of companies advertise and solicit sales on the Internet, creating a large domain of products and services that is not always accessible or easy to navigate.

20           A variety of wellness information is available on the Internet through web sites. Some sites are devoted to avoiding illness. These sites do not address improving the quality of life or provide personal exercise and nutrition counseling. Some sites are no more than Internet links. Like many other Internet sites, many wellness sites require a computer to access as well as the time to logon and navigate through all the vendor and commercial media.

## SUMMARY OF THE INVENTION

The invention provides a method and a system that allows users to custom design interactive fitness, diet, and rehabilitation programs and purchase goods. The system and method includes at least one portal, a distributed network, and a controller or server. The  
5 portals are distributed to sponsors to provide distributed access to the controller. For example, a sponsored portal could be a kiosk placed in a health club, fitness center or shopping mall. An authorized non-sponsored portal could be an authorized user's home computer.

In operation, when a user connects to the controller, the controller initiates a  
10 validation sequence. The controller seamlessly accesses a record system or a database to identify the portal and the user. When the portal and the user are identified, the controller assigns an access code. Preferably, the access code defines the user's access rights that determine the level of services and discounts offered to the user. While the access code is being assigned, the controller may transparently access a payment database or a payment  
15 controller that retains records of user accounts receivable. If the user is delinquent, the controller can prompt the user to tender payment. Payment may then be tendered, for example, through credit cards, electronic fund transfer, debit cards, digital cash, vending systems, or other known electronic commerce methods.

Upon completion of the credit and validation sequence, the controller may prompt  
20 the user to complete a registration process before permitting further access. Preferably, the registration process guides the user through interactive screens that pose questions to gather demographic and lifestyle information. The user may update the demographic and lifestyle information over time. At the user's direction, the controller assesses the relevant user information to evaluate the user's fitness, nutrition, and wellness profiles according to  
25 the user's access rights. The controller then offers practical guidelines and advice to improve the user's profiles. The practical guidelines and advice may be in the form of a user improvement plan. The system and method may further allow each user to update their fitness, nutrition, and wellness information over time from any location (e.g., home computer, health club, fitness center, etc.). When users update lifestyle information, the  
30 method and system retains a profile history that users can later access to monitor their program progress.

In one aspect, the controller continuously gathers and stores each user's fitness, nutrition, and wellness result data to update the profile history. Result data is user lifestyle

information that includes, but is not limited to, data recorded either by the user or the system after the user performs a fitness, nutrition or wellness act (e.g., a workout, or repetition using a particular weight and machine). At the user's discretion, the controller assesses the relevant user information with the stored result data to evaluate the user's fitness, nutrition, and wellness profiles according to the user's access rights. The controller then offers practical guidelines and advice in the form of a user improvement plan, which is updated as the user continuously enters the result data.

In one preferred aspect, the user is compared to a control group of users. The user's control group is determined by the user demographic and lifestyle information, the user goals, and/or the user profiles. The practical guidelines and advice offered to improve the user's profiles (i.e., the user improvement plan) are similar to those provided to the other users within the control group. The practical guidelines and advice are based on models provided by fitness, nutrition, and/or wellness experts. The controller will continuously gather and store the user's fitness, nutrition and wellness information for each user and continuously gather and store each user's lifestyle information for the control group. The controller analyzes the control group lifestyle information and evaluates the control group's practical guidelines and advice. Moreover, the controller updates the practical guidelines and advice for the control group based on the stored group lifestyle information.

In addition to providing health services, the system and method preferably also offers goods for sale. Using the above-described validation and credit sequence, users view products, such as shoes or health supplements, for example, and place orders. A user that desires to purchase goods selects from the controller or linked sites and specifies the quantity of goods to be purchased. A confirmation string is then generated and communicated to the user. When an agreement is reached, the sale is logged to an order system or a database that track orders.

In one preferred aspect, the method and system are accessible to the user through non-sponsored and sponsored supported portals. A sponsored supported portal is known as a buyer interface. Preferably, the method and system differentiate buyer interfaces from non-sponsored or personal portal sites and adjusts users' access rights according to their locations. Preferably, a user's access code will reflect his or her location.

The disclosed method and system provides a simple and user-friendly interface that allows users to custom design interactive fitness, diet, and rehabilitation programs and purchase goods through the convenience of a distributed network. The method and system

acquire and retain wellness information directed to eating properly and working out effectively that is easily accessible from many locations. The controller tracks user fitness, nutrition, and wellness profiles over time, creating opportunities for vendors to direct market to consumers' health, exercise, and eating profiles.

5           The method and system also provide users with opportunities to engage in on-line conversations with a diversity of fitness instructors, such as for example, personal trainers, coaches, and doctors. Moreover, the method and system can automatically modify the services and discounts offered to users based on user access locations.

10           These features as well as other advantages of the invention will become apparent upon consideration of the following detailed description and accompanying drawings of the presently preferred embodiments of the invention described below.

#### BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a block diagram of a first embodiment of the invention;

FIG. 2 is a block diagram of a controller of FIG. 1;

15           FIG. 3 is a block diagram of a buyer interface of FIG. 1;

FIG. 4 is a flow-chart of a request for goods and/or services of FIG. 1;

FIG. 5 is a flow-chart of a confirmation of a request for goods and/or services of FIG. 1;

FIG. 6 is a flow chart of a request fulfillment of FIG. 1; and

20           FIG. 7 is a flow chart of a delivery fulfillment of FIG. 1.

FIG. 8 is a flow chart of an update of a control group's practical guidelines and advice and update of a user's improvement plan.



## DETAILED DESCRIPTION

In the drawings the same reference numbers through several views designate similar elements.

### 5           1.       System Structure

FIG. 1 illustrates the components of the system 100. Optional elements are represented by dashed boxes, which are for alternative embodiments of the system 100. The system 100 comprises a controller 105, a buyer interface 110, a buyer modem 115 and an optional payment controller 117. The controller 105 and the buyer modem 115 connect  
10 to a distributed network 120 such as the Internet in a manner well known to those skilled in the art. Communication may be provided, for example, through personal communication systems, microwaves, satellites, and/or through landlines.

As shown, the buyer modem 115, which is any device that converts data from one form to another, connects to the distributed network 120 and the buyer interface 110. The  
15 connections shown in FIG. 1 encompass both direct and indirect connections. For example, with reference to FIG. 1, the buyer modem 115 may connect to an intermediate device (not shown) that connects either directly, or via one or more additional components (not shown) to the buyer interface 110.

The buyer interface 110 connects users to the distributed network 120. Each buyer  
20 interface 110 is connected to a buyer modem 115 that communicates with the controller 105. Preferably, the system 100 comprises one or more buyer interfaces 110 and buyer modems 115 (collectively known as a “kiosks”) that allow multiple users to interact with the controller 105.

The payment controller 117 is optional and is connected to the controller 105 via a  
25 second distributed network 122. The second distributed network 122 may be the same as the distributed network 120 connecting the buyer modem 115 and the controller 105 (e.g., the Internet), or may be a different connection (e.g., a direct phone line). Communication may be provided, for example, through personal communication systems, microwaves, satellites, and/or through landlines.

30 In the system 100, of FIG. 2, the controller 105 comprises a processor 125, a buyer interface controller 130, an encoder/decoder 135, a payment processor 140, and a storage device 145. The processor 125 operates as a server that responds to the buyer interface 110 (shown in FIG. 1). Preferably, the processor 125 comprises a microprocessor-based

system having static and dynamic memory and runs on a known operating system. Here, an INTEL™ based computer employing a thirty-two-bit architecture running a WINDOWS™ operating system may be used. The system 100, may also employ other operating systems such as LINUX™ or those used on SUN™ workstations and APPLE™ machines, for example.

The buyer interface controller 130 supports buyer interface and user connections and their respective identification. The buyer interface controller 130 comprises one or more microprocessors or software modules that identify users and portal addresses.

The encoder/decoder 135 supports the ciphering and deciphering of communication between users and the controller 105. Preferably, the encoder/decoder 135 is a dedicated processor; however, the encoder/decoder 135 may be implemented through software modules as well.

The payment processor 140 processes payment transactions from the buyer interface 110 (FIG. 1). Like the encoder/decoder 135, the payment processor 140 may be implemented as a co-processor or through software modules. Preferably, the payment processor 140 interfaces to commercial and/or non-commercially available software that may accommodate on-line account statements, order-taking, automated sales tax calculations, electronic fund transfers, debit card payment authorizations, credit card payment authorizations, digital receipt creation, credit card settlements, vending payment systems, and/or other known electronic commerce methods. One site offering some of these services is AUTHORIZE.NET™ located at Internet address <http://www.authorizenet.com>. Alternatively, the payment processor 140 coordinates payment transactions from the buyer interface 110 with the payment controller 117.

The storage device 145 accommodates the information exchange between users and the system 100. Databases residing in the storage device 145 comprise a user database 150, an order database 190, a request detail database 170, a request fulfillment database 155, a fulfilled confirm database 160, a payment database 175, an encryption database 180, a location database 165, and a control group database 192.

The user database 150 maintains user information. Preferably, the user information comprises general demographic, lifestyle, and credit information. Information such as a user's name, address, social security number, weight, exercise routines, eating habits, credit rating, phone number(s), and/or e-mail addresses, for example, are maintained in the user database 150. User information is obtained when the user registers on the system 100

and can be updated by the user over time. In another aspect of the invention, the user database 150 contains data fields for continuously gathering and storing user's fitness, nutrition and wellness result data. Result data is user lifestyle information that includes, but is not limited to, data recorded either by the user or the system after the user performs a fitness, nutrition or wellness act (e.g., a weight trainer completing a workout). The user database 150 also stores access codes generated each time a user logs onto the system 100. Access codes define user access rights that determine the level of services and discounts the user can receive.

The order database 190 retains data on buyers and goods with records that track buyer's names, contact information, payment options, and an identification of goods sold. Contact information comprises a telephone number, street address, e-mail address, facsimile number, or other means to contact the buyer.

The control group database 192 contains group lifestyle information for at least one control group having a plurality of users. The group lifestyle information for the plurality of users correlates to the lifestyle information for each user in the user database 150. Preferably, the plurality of users in each control group have similar user demographic and lifestyle information, user goals, and/or user profiles.

The request detail database 170 maintains data or records on user goals and purchase requests. The data or records include fields that identify the program(s) of interest such as retail orders and fitness, diet, or rehabilitation programs, for example, user goal(s), and custom information. Custom information for an exemplary diet program might include age, gender, height, weight, and a description of the user's current physical condition.

The request fulfillment database 155 traces user requests logged to the request detail database 170. The request fulfillment database 155 analyzes user requests and provides purchase orders, health, wellness, and counseling in response to user queries. Moreover, if the user requests a user improvement plan, the request fulfillment database 155 preferably prepares the user requests based in part on the individual's control group. The request fulfillment database 155 includes a plurality of software modules that analyze order, fitness, diet, and rehabilitation data. The modules analyze the data based on models provided by expert fitness instructors, coaches, doctors and/or nutritionists.

The filled confirm database 160 maintains data on serviced responses. Preferably, the filled confirm database 160 tracks user identification strings, dates, time, and other identifiable strings that identify the user, services, and goods provided.

The payment database 175 confirms and tracks transactions. The payment database 175 maintains data on user credit status and accounts receivable that reflect services accessed and goods purchased. The user credit status and accounts receivable data can be obtained and stored by the controller 105 (shown in FIG. 1), and/or be  
5 received from the payment controller 117 (shown in FIG. 1). The database 175 stores user credit information with records tracking user identification strings, payment status, and credit and debit card information. In an alternative embodiment, the payment controller 117 can perform the functions of the payment database 175.

The encryption database 180 ensures secure encrypted network communication by  
10 storing both symmetric and asymmetric encryption keys. The encryption database 180 provides a repository and reference table to the encoder/decoder 135. The link between the encryption database 180 and encoder/decoder 135 allows the system 100 to manage electronic commerce in a real-time secure environment. The encryption database 180 also tracks purchase confirmation strings and user identification strings.

15 The location database 165 stores location data related to vendor sponsored access locations. Preferably, the location data includes portal addresses or other identifying means.

Finally, the controller interface 185 facilitates controller 105 access from the distributed network 120. Preferably, the controller interface 185 is a modem. Like the  
20 buyer modem 110, the controller interface 185 is any device that converts data from one form to another such as ISDN and DSL adapters, for example, that allows the controller 105 to communicate with peripheral devices. The controller interface 185 has a baud rate that corresponds to portal transfer rates. Preferably, the controller interface 185 conforms to the connection speed and connection protocol of each portal.

25 Various layouts are also envisioned in the system 100. Although only one buyer interface 110, one buyer modem 115, one controller 105, and one controller interface 185 are shown in FIG. 1, it is envisioned that multiple interfaces, modems, and controllers may be implemented in several locations. One alternative embodiment has the payment controller 117 being connected to the controller 105 via a second distributed network 122.  
30 The payment controller 117 may be a controller specified by the sponsor or a third party representing the sponsor. The payment controller may receive payment information from the controller 105. Moreover, it is envisioned that the system 100 may interface to multiple networks through any combination of links.

FIG. 3 illustrates the buyer interface 110 in greater detail. The buyer interface comprises a vending device 195, a printer 200, a monitor 210, an input device 230; and a buyer interface 110 comprising a processor 205, an encoder/decoder 215, a controller 220, a storage device 225, and a modem 115. In the system 100, the buyer interface processor 205 functions as a slave processor, meaning the processor 205 is subservient to the controller processor 125. It should be understood that the remaining buyer interface components operate in the same manner as was previously described.

In one embodiment, a MICRON™ computer (available from Micron Technology, Incorporated located in Boise, Idaho) having a keyboard and touch pad (input device 230), microprocessor (processor 205), dynamic and static memory (storage device 225), and a video monitor (monitor 210) comprised the buyer interface 110. The vending device 195 (capable of accepting credit cards and/or currency), and printer 200 are well known to those skilled in the art, and therefore, are not described in detail here. Likewise, it is well known that non-commercial and commercial software (i.e. shareware, university originated, MICROSOFT EXPLORER™ Internet browser, AOL NETSCAPE NAVIGATOR™ Internet browser, etc.) and technology alike can furnish access to distributed networks, and therefore, these technologies are also not described in further detail. The monitor 210 is preferably a Touchscreen Kiosk Monitor (Model no. 035345-000 17" CRT Monitor, or LCD) manufactured by ELO TOUCHSYSTEMS™.

In the buyer interface 110 of FIG. 3, the storage device 225 maintains information on users, portal configuration, and portal operation through a configuration database 235 and a maintenance database 240.

The configuration database 235 tracks users that log onto the system 100 through the buyer interface 110. The configuration database 235 retains data on users through records that include user identification strings, portal address, dates, time, and other identifiable strings that identify the user, portal, and services provided.

The maintenance database 240 maintains operating software and maintenance information. The maintenance information tracks the condition and the use of the buyer interface 110 with records that track utilization, hardware versions, software versions, print histories, and other states of the buyer interface 110. Preferably, the maintenance database 240 is accessible to the controller 105. When the controller accesses the maintenance database 240, maintenance records can be reviewed and software can be

updated from a remote location. Accordingly, the system 100 preferably includes logic for downloading software updates to buyer interfaces 100 and other portal sites.

## 2. Operation

FIGS. 4 - 7 illustrate the operation of the system 100. Optional steps are represented by dashed boxes, which are not necessarily performed each time a user logs onto the system 100. Solid lines between the boxes represent the interchange of data between devices.

At step 245 the user logs onto the system 100. As shown, the logon process occurs at the buyer interface 110. It should be understood, however, that the system 100 can be accessed from other portal sites, such as, for example, a personal or handheld computer connected to the distributed network 120.

At step 250 the buyer interface 110 (as shown in FIG. 1) logs onto the controller 105. Access involves the transmission of buyer interface and user identifying data across the distributed network 120. In one embodiment, the controller 105 emulates an Internet server or web site, which allows multiple buyer interfaces 110 and other devices access to the controller 105.

At optional step 255, the controller 105 prompts the user to complete a registration process. Preferably, the registration process guides the user through one or more interactive screens that pose questions that gather user demographic and lifestyle information. Additionally, interactive screens pose questions to gather user goals. Upon obtaining the user information and upon user request, the controller creates user profiles and assigns the user to a control group based upon the user demographic and lifestyle information, user goals, and/or user profile. After being assigned to a particular control group, the user may be offered specific goods and services directed to the control group. This step occurs when a user first logs onto the system 100 though it can be updated transparently by the controller 105 or at the direction of the user.

At step 260, the controller 105 defines the user's access rights. The controller assigns an access code comprised of a string of characters. Preferably, the access code defines the user's access rights that determine the level of services and discounts offered to the user. Access rights, for example, may define the subject areas a user may access and the discounts a user can receive.

At step 265, the buyer interface 110 prompts the user to select a subject area. The user can select from any one or combination of subjects including fitness, nutrition,

wellness, and prescriptions and/or other subjects of interest. The buyer interface 110 additionally allows users to elect a purchase of tangible goods.

At step 270, the user submits his or her query. The user simply enters the query through the input device 230 (as shown in FIG. 3). Additionally, a user may dictate the query using a digital device that transcribes voice to text.

At optional step 275, the buyer interface 110 formats the query. The subject and/or goods information provided at step 265 are organized and arranged for transmission to the controller 105.

At step 280 the query is submitted to the controller 105.

As shown in FIG. 5, the controller 105 (shown in FIG. 2) initiates a user and portal validation sequence at steps 285, 290, and 295. To identify the portal, the system 100 compares the portal address or other portal identifying means to the identifying data stored in the location database 165 (shown in FIG. 2). When a match is found, the controller 105 determines that access is valid. When a match is not found the controller 105 modifies the user's access code and preferably indicates to the user that the user is accessing the system 100 from a non-sponsored portal site.

At step 300 the controller 105 extracts the user's identification string and the subject or goods request. The user's identification string authorizes access. The subject request designates the subject area to which the user wishes to subscribe. The goods request designates the goods the user wishes to purchase.

At step 305 the user's identification string is compared to user database 150 records. When the controller 105 matches the user's identity to one or more records, the user passes to step 315. When the comparison does not yield a match, access is denied at step 310.

At steps 315 - 320 the controller determines whether the buyer is eligible to receive information and/or goods. The controller 105 accesses the payment database 175 (shown in FIG. 2) that retains records of the user's past account activities at step 315. The user's past account activities may include purchasing an access code designating pre-authorization to receive certain information and/or goods. For example, the user may have purchased a "service package" from the sponsor or a third party representing the sponsor. The service package allows the user to receive specific services or goods from the system 100 without further payment. However, the user will still need to purchase the information and/or goods which are not part of the service package. Preferably, when an account exceeds a pre-determined balance or is delinquent, the controller 105 prompts the

user to tender payment at step 320. Payment may be tendered, for example, through credit cards, electronic fund transfer, debit cards, digital cash, vending systems, or other known electronic commerce methods. When the user tenders payment, merchant approval is sought at step 325. If for example, a credit or debit card is tendered, merchant approval is preferably sought from a payment authorization service that maintains a secure and reliable system for authorizing payment. When merchant approval is denied user access is denied at step 310. Alternatively, the controller 105 may access the payment controller 117 directly for the user's past account activities or to determine if the user has obtained an access code allowing pre-authorization.

10       At step 330 the system 100 accepts the request for goods and services.

As shown in FIG. 6, at steps 335 and 340 the system 100 time stamps the user's request and stores the request in the request detail database 170 (shown in FIG. 2).

At step 345, the system set a status request flag. The status request flag indicates a pending request or order that has not yet been serviced.

15       At step 350 the subject or goods request extracted at step 300 is logged in the fulfilled databases under the appropriate subject area or order database 190 (shown in FIG. 2).

As shown in FIG. 7, at step 355, the controller 105 (shown in FIG. 2) services the subject or order request. The controller retrieves the specific services the user is seeking and delivers the requested information to the buyer interface 110. If the user is making a purchase, a purchase order and order confirmation number are delivered to the buyer interface 110. The controller 105 in turn updates the status request to indicate the request serviced is no longer pending.

20       At step 360, the fulfilled confirm database 160 (shown in FIG. 2) is accessed to record the date, time, and other identifiable strings that identify the user and the services and/or goods provided.

At step 365, the controller updates the payment database to reflect the user transaction.

30       At step 370 the transaction concludes with the controller 105 updating the user database 150.

In one embodiment of the invention, the user can request the system to offer practical guidelines and advice (i.e., a user improvement plan) to the user. The system develops the user improvement plan based upon the control group to which the user is



assigned. Each control group includes a model having practical guidelines and advice, which has been developed by fitness, health and/or wellness experts.

As shown in Figure 8, once the user improvement plan has been developed, the system is capable of updating the user improvement plan and/or the control group practical  
5 guidelines and advice.

At step 375, the user periodically enters result data at the portal sites. Result data includes, but is not limited to, data recorded either by the user or the system after the user performs a fitness, nutrition or wellness act.

At step 380, the result data is transmitted to the controller 105 for processing.

10 At steps 385 and 390, the controller 105 stores the result data within the user database 150 and within the control group database 192, respectively. The result data stored within the user database 150 is stored for each individual user and the data stored within the control group database 192 is stored for each control group.

After a period of time has elapsed, the controller, at step 395, analyzes the group  
15 result data for each control group to determine if the practical guidelines and advice are being consistently met by a large majority of users within each control group. If the practical guidelines and advice are not being consistently met, then the model relied upon by the guidelines and advice is changed, as shown in steps 400 and 405. Changing the model can either be done automatically by the controller or by the appropriate expert. If  
20 the practical guidelines and advice are being consistently met, then the controller leaves the model as is for the whole control group.

At step 410, the controller analyzes result data for each user to determine if the user has consistently met the user improvement plan. If the user improvement plan has not been consistently met, then the user improvement plan is changed, as shown in steps 415  
25 and 420. The change of the user improvement plan can be accomplished by reassigning the user to a new control. Alternatively, if the control group model has been adjusted, then the controller adjusts the user improvement plan when the practical guidelines and advice is adjusted for the entire control group.

Therefore, the software preferably goes through two levels of validation. First, the  
30 software validates that each control group has a valid working model for the control group users, and second, the software validates each user improvement plan. If either the model or the plan has inherent errors, the system will adjust the appropriate user information plan and inform the appropriate users of the changes.

The software 1) receives the user's request; 2) validates the request; 3) accesses the relevant databases; 4) performs the necessary calculations; 5) formats the results; and 6) delivers the results to the user.

There are many types of information that can be offered to a user through such software. For example, one software module may provide personal workout information to weight trainers. In one exemplary module, a weight trainer can enter his or her workout weight and repetitions. The software directs the controller 105 to compare the weight trainer's workout to the weight trainer's goals. Based on this comparison, the software preferably suggests a weight training plan, which includes workout weight(s) and repetitions that can help the weight trainer reach his or her workout goals. This information can be provided to the weight trainer through the buyer interface 110.

In another exemplary module, upon a weight trainer's request, the software directs the controller to develop a weight-training plan (i.e., a user improvement plan) including workout weighs and repetitions for the user to perform. In this module, the processor develops the plan based upon the control group to which the weight trainer is assigned. The control group contains practical guidelines and advice for each member of the group. The practical guidelines and advice are based on a model developed by expert weight trainers. After each workout, the weight trainer enters his or her result data. The software will adjust the workout plan for the weight trainer if the weight trainer is consistently not meeting the plan. For example, the weight trainer may be either below expectations or above expectations for the plan. If the weight trainer is below expectations for the plan, the controller will make the weight training plan "easier", and similarly, if the weight-trainer is above expectations for the plan, the software will make the weight-training plan "harder". If the weight-training plan is changed because the weight trainer is reassigned to a new control group, the weight trainer will be informed of the change and may be offered a new set of goods (e.g., more exercise equipment or nutritional supplements) or a new service (e.g., a different chat room to ask questions of a different expert.)

It should be apparent that additional services could supplement the system 100. For example, the system 100 may also provide free electronic mail and chat rooms. Users might use these services to engage in on-line conversations with a diversity of fitness instructors, such as for example, personal trainers, coaches, doctors, and other users. Furthermore, the system 100 may further allow each user to update their fitness, nutrition, and wellness information residing in the user database 150 (shown in FIG. 2) over time from any location. When users update information, the system 100 retains a profile

history that users can later access. Preferably, the profile histories allow vendors to market directly to users.

The foregoing detailed description describes only a few of the many forms that the present invention can take, and should therefore be taken as illustrative rather than  
5 limiting. It is only the following claims, including all equivalents, that are intended to define the scope of the invention.

What is claimed is:

1. A method of providing wellness related services including at least one of  
5 wellness, health, or fitness services to an authorized user through a distributed  
communications network, comprising:  
    identifying a portal with a portal identifier;  
    storing the portal identifier associated with the portal in a database;  
    sending a request from the portal to an on-line wellness related site;  
10     processing the request at a controller to determine whether the request was from  
the portal;  
    assigning an access code to the user, the access code defining a level of wellness  
related services available to the user; and  
    providing services to the user through the distributed network that correspond to  
15 the user's access code.
2. A method as in claim 1, further comprising the steps of:  
    identifying the authorized user with a user identifier;  
    storing the user identifier in a database; and  
20     processing the request at the controller to determine whether the request was from  
the authorized user.
3. A method as in claim 1, wherein the assigning of the access code depends  
in part on whether the location of the authorized user is at a sponsored portal or a non-  
25 sponsored portal.
4. A method as in claim 1, further comprising the step of:  
    providing a retail site for selling goods to authorized users.
- 30 5. A method as in claim 4, further comprising the steps of:  
    providing a selection of goods to the user and making that selection of goods  
available for the user to purchase through the distributed network.

6. A method as in claim 4, further comprising the step of:  
providing a system that allows the on-line wellness related site to charge users for  
access to the wellness related site defined, at least in part, on the type of the portal.

5 7. A method as in claim 1, wherein the processing step further includes  
determining whether the request was sent from a sponsored portal.

8. A method as in claim 1, wherein the processing step further includes  
determining whether the request was sent from a non-sponsored portal.

10

9. A method as in claim 1, wherein the sending step comprises sending user  
identifying data through the distributed network.

10. A method as in claim 7, wherein the determining step comprises receiving  
15 an address from the portal and comparing the address to data comprising sponsored portal  
addresses.

11. A method as in claim 1, further comprising the step of gathering user  
lifestyle information.

20

12. A method as in claim 11, further comprising the step of adapting the level  
of services provided to the user based on the user's lifestyle information.

13. A method as in claim 1, wherein the distributed network comprises the  
25 Internet.

14. A method as in claim 1, further comprising the step of:  
sending an electronic statement from the on-line wellness related site to the portal  
through the distributed network that reflects the services provided to the user.

30

15. A method as in claim 4, further comprising the step of:  
sending an electronic statement from the on-line wellness related site to the portal  
through the distributed network that reflects the goods sold to the user.

16. A method as in claim 4, further comprising the steps of:  
tendering payment information at the portal; and  
transmitting the tendered payment information from the portal to the on line  
wellness related site through the distributed network.

5

17. A method as in claim 4, wherein the assigning step comprises the steps:  
determining whether the user has received pre-authorization for receiving specific  
goods or services; and  
assigning the access code in part on whether the user has received pre-  
authorization.

10

18. A method as in claim 17, further comprising the steps of:  
providing payment to a sponsor prior to the sending step; and  
pre-authorizing the user to receive specific goods or services based on the payment  
provided to the sponsor.

15

19. A method as in claim 17, further comprising the steps of:  
providing payment to a party representing the sponsor prior to the sending step;  
and  
pre-authorizing the user to receive specific goods or services based on the payment  
provided to the third party.

20

20. A method as in claim 1, wherein the portal comprises a sponsored portal  
and the method further comprises the steps of:  
retaining a user's wellness related profile including at least a wellness, health or  
fitness profile on the wellness related site; and  
updating the user's wellness related profile from the sponsored portal.

25

21. A method as in claim 1, wherein the portal comprises a non-sponsored  
portal and the method further comprises the steps of:  
retaining a user's wellness related profile including at least a wellness, health or  
fitness profile on the wellness related site; and  
updating the user's wellness related profile from the non-sponsored portal.

30

22. A method as in claim 1, wherein the portal is a sponsored portal and the method further comprises the steps of:

- providing a non-sponsored portal;
- retaining a user's wellness related profile including at least a wellness, health or fitness profile on the wellness related site; and
- 5 updating the user's wellness related profile from at least one of said sponsored and non-sponsored portals.

23. A method as in claim 1, wherein the portal is a sponsored portal and the method further comprises the steps of:

- providing a non-sponsored portal; and
- wherein the providing services step comprises providing a level of services to the user based at least in part on the user's access to the on-line wellness related site from one of the sponsored and non-sponsored portals.

24. A method as in claim 1, wherein the portal is a sponsored portal and the method further comprises the steps of:

- providing a non-sponsored portal;
- determining whether the request was received from one of the sponsored and non-sponsored portals; and
- 20 controlling the services available to the user based at least in part on the results of said determining step.

25. A method as in claim 1, wherein the portal is a sponsored portal and the method further comprises the steps of:

- providing a non-sponsored portal;
- determining whether the request was received from one of the sponsored and non-sponsored portals; and
- wherein the assigning step includes the step of assigning the access code based upon which portal is accessed.

26. A method as in claim 1, further comprising the step of:  
providing user lifestyle information to the portal, and wherein the services  
providing step comprises providing practical guidelines and advice to the user.

5 27. A method as in claim 1, further comprising the steps of:  
providing at least one control group, each control group includes at least one  
authorized user; and  
assigning the user to one of the control groups.

10 28. A method as in claim 27, wherein the services providing step comprises  
providing information or goods to the user based upon the control group to which the user  
has been assigned.

15 29. A method as in claim 27, further comprising the step of creating practical  
guidelines and advice for the control group, and wherein the services providing step  
comprises providing a user improvement plan for the user, the user improvement plan is  
selected to be related to the practical guidelines and advice for the control group.

20 30. A method as in claim 29, wherein the practical guidelines and advice  
creating step comprises providing models by experts in the field of the control group and  
creating the practical guidelines and advice based on the models.

25 31. A method as in claim 29, wherein each control group includes group result  
data, the method further comprises the step of:  
providing the result data to the portal;  
storing the result data to the group result data for the authorized user's control  
group; and  
adjusting the user improvement plan for each user in the authorized user's control  
group based on the stored group result data.

30 32. A method as in claim 29, further comprising the step of providing an alarm  
signal to a system administrator if the user improvement plan for the users in the control  
group needs to be adjusted.



33. The method as in claim 30, further comprising:  
storing result data for the authorized user;  
assigning the user to a new control group based on the stored result data for the  
5 user.

34. A method as in claim 1, further comprising:  
storing wellness related information including at least one of wellness, health or  
fitness information relating to the user;  
10 creating at least one wellness related profile including at least a wellness, health or  
fitness profile; and  
assessing the stored wellness related information to evaluate the user wellness  
related profile.

35. A method as in claim 34, further comprising:  
updating the stored wellness related information with additional wellness related  
information for the user.

36. A method as in claim 35, further comprising:  
20 offering practical guidelines and advice to the user through the distributed network  
based on the user's wellness related profile.

37. A method as in claim 35, further comprising:  
retaining a profile history of stored wellness related information;  
25 sending the profile history from the controller to the portal through the distributed  
network; and  
monitoring the profile history at the portal.

38. A method of providing wellness related services including at least one of wellness, health, or fitness services through a distributed communications network, comprising:

- 5        sending a request from a portal to an on-line wellness related site;
- processing the request at a controller to determine whether the request was received from an authorized user;
- assigning an access code to the user if the user is authorized, the access code defining a level of wellness related services available to the user; and
- 10       providing services to the user through the distributed network that correspond to the user's access code.

39. A method as in claim 38, further comprising the step of:  
providing a retail site for selling goods to authorized users.

- 15       40. A method as in claim 39, further comprising the steps of:  
      providing a selection of goods to the user and making that selection of goods available for the user to purchase through the distributed network.

- 20       41. A method as in claim 39 further comprising the step of:  
      providing a system that allows the on-line wellness related site to charge users for access to the wellness related site defined, at least in part, on the type of the portal.

- 25       42. A method as in claim 38, wherein the processing step further includes determining whether the request was sent from a sponsored portal.

- 43. A method as in claim 38, wherein the sending step comprises sending user identifying data through the distributed network.

- 30       44. A method as in claim 42, wherein the determining step comprises receiving an address from the portal and comparing the address to data comprising sponsored portal addresses.

- 45. A method as in claim 38, further comprising the step of gathering user lifestyle information.

46. A method as in claim 45, further comprising the step of adapting the level of services provided to the user based on the user's lifestyle information.

5 47. A method as in claim 38, wherein the distributed network comprises the Internet.

48. A method as in claim 38, further comprising the step of:  
sending an electronic statement from the on-line wellness related site to the portal  
10 through the distributed network that reflects the services provided to the user.

49. A method as in claim 39, further comprising the step of:  
sending an electronic statement from the on-line wellness related site to the portal  
through the distributed network that reflects the goods sold to the user.

15 50. A method as in claim 39, further comprising the steps of:  
tendering payment information at the portal; and  
transmitting the tendered payment information from the portal to the on line  
wellness related site through the distributed network.

20 51. A method as in claim 39, wherein the assigning step comprises the steps:  
determining whether the user has received pre-authorization for receiving specific  
goods or services; and  
assigning the access code based in part on whether the user has received pre-  
25 authorization.

52. A method as in claim 51, further comprising the steps of:  
providing payment to a sponsor prior to the sending step; and  
pre-authorizing the user to receive specific goods or services based on the payment  
30 provided to the sponsor.

53. A method as in claim 51, further comprising the steps of:  
providing payment to a party representing the sponsor prior to the sending step;  
and  
pre-authorizing the user to receive specific goods or services based on the payment  
5 provided to the third party.

54. A method as in claim 38, wherein the portal comprises a sponsored portal  
and the method further comprises the steps of:  
retaining a user's wellness related profile including at least a wellness, health or  
10 fitness profile on the wellness related site; and  
updating a user's wellness related profile from the sponsored portal.

55. A method as in claim 38, wherein the portal comprises a non-sponsored  
portal and the method further comprises the steps of:  
15 retaining a user's wellness related profile including at least a wellness, health or  
fitness profile on the wellness related site; and  
updating a user's wellness related profile from the non-sponsored portal.

56. A method as in claim 38, wherein the portal is a sponsored portal and the  
20 method further comprises the steps of:  
providing a non-sponsored portal;  
retaining a user's wellness related profile including at least a wellness, health or  
fitness profile on the wellness related site; and  
updating a user's wellness related profile from at least one of said sponsored and  
25 non-sponsored portals.

57. A method as in claim 38, wherein the portal is a sponsored portal and the  
method further comprises the steps of:  
providing a non-sponsored portal; and  
30 wherein the providing services step comprises providing a level of services to the  
user based at least in part on the user's access to the on-line wellness related site from one  
of the sponsored and non-sponsored portals.

58. A method as in claim 38, wherein the portal is a sponsored portal and the method further comprises the steps of:

providing a non-sponsored portal;

determining whether the request was received from one of the sponsored and non-  
5 sponsored portals; and

controlling the services available to the user based at least in part on the results of said determining step.

59. A method as in claim 38, wherein the portal is a sponsored portal and the  
10 method further comprises the steps of:

providing a non-sponsored portal;

determining whether the request was received from one of the sponsored and non-  
sponsored portals; and

wherein the assigning step includes the step of assigning the access code based  
15 upon which portal is accessed.

60. A method as in claim 38, further comprising the step of providing  
information to the portal, and wherein the services providing step comprises providing  
practical guidelines and advice to the user.  
20

61. A method as in claim 38, further comprising the steps of:  
providing at least one control group, each control group includes at least one  
authorized user; and  
assigning the user to one of the control groups.  
25

62. A method as in claim 61, wherein the services providing step comprises  
providing information or goods to the user based upon the control group to which the user  
has been assigned.

63. A method as in claim 61, further comprising the step of creating practical  
guidelines and advice for the control group, and wherein the services providing step  
comprises providing a user improvement plan for the user, the user improvement plan is  
selected to be similar to the practical guidelines and advice for the control group.  
30

64. A method as in claim 63, wherein the practical guidelines and advice creating step comprises providing models by experts in the field of the control group and creating the practical guidelines and advice based on the models.

5           65. A method as in claim 63, wherein each control group includes group result data, the method further comprises the step of:

          providing result data to the portal;

          storing the result data to the group result data for the authorized user's control group; and

10           adjusting the user improvement plan for each user in the authorized user's control group based on the stored group result data.

          66. A method as in claim 63, further comprising the step of providing an alarm signal to a system administrator if the user improvement plan for the users in the control group needs to be adjusted.

          67. The method as in claim 63, further comprising:  
          storing result data for the authorized user;  
          assigning the user to a new control group based on the stored result data for the  
20    user.

          68. A method of providing wellness related services including at least one of wellness, health, or fitness services through a publicly accessible distributed network to authorized users using authorized portals, comprising:

25           providing an on-line site that enables wellness related databases to be accessed from at least one of a sponsored and a non-sponsored portal;

          placing in communication at least one of a sponsored and non-sponsored portal to the on-line site through a publicly accessible distributed network;

          sending a request from the on-line site requesting access to the wellness related  
30    databases;

          processing the request at the on-line site to determine whether the portal was sponsored and whether the request was received from an authorized user; and

          responding to the request based in part on whether the portal was sponsored and whether the user is authorized.

69. A method as in claim 68, further comprising the step of providing on-line advice to authorized users.

5           70. A method as in claim 68, further comprising the step of gathering user fitness, nutrition, and wellness information when a user first connects the portal to the on-line site.

71. A method as in claim 70, further comprising the step of allowing users to  
10 update their fitness, nutrition, and wellness information over time from non-sponsored portals.

72. A method as in claim 68, further including the step of providing electronic mail services to authorized users.

15           73. A method as in claim 69, wherein the step of providing on-line advice includes advice from wellness related providers including at least one of wellness, health or fitness providers.

20           74. A system for providing access to wellness related services including at least one of wellness, health or fitness services through a publicly accessible distributed network, comprising:

          a publicly accessible distributed network;  
          at least one portal connected to communicate with the distributed network, the  
25 portal processing an access program that interfaces the distributed network to the portal;  
          an on-line wellness related site connected to communicate with the distributed network, the on-line wellness related site processing a second access program that interfaces the distributed network to the on-line wellness related site;

          a plurality of databases for storing wellness related information including at least  
30 one of wellness, health or fitness information and authorization data; and

          an authorization procedure for authorizing access based at least in part on whether the portal is a sponsored portal and whether the user is authorized.

75. The system of claim 74, wherein said at least one portal comprises at least one of a sponsored and a non-sponsored portal.

76. The system of claim 74, wherein the plurality of databases comprises at least one user database that comprises exercise, nutrition, and wellness data.

77. The system of claim 74, wherein the distributed network comprises the Internet.

78. The system of claim 74, further comprising an on-line retail site connected to communicate with the distributed network such that the on-line retail site is in communication with the on-line wellness related site.

79. The system of claim 78, further comprising an order database that retains data on goods for sale and goods sold to users.

80. The system of claim 74, wherein the plurality of databases comprises at least one control group database.



## ABSTRACT

The invention provides a method and a system that allow users to purchase goods and health-related services over a distributed network, like the Internet. Using a portal or a buyer interface, a user connects to a controller or server through a distributed network either directly or via a service provider. When the user connects to the controller, the controller initiates a validation sequence to identify the portal and the user. When the portal and the user are identified, the controller assigns an access code that defines the user's access rights to the controller. The user can then access fitness, nutrition, and wellness information or purchase goods from the controller, which in one embodiment emulates a web site, or provide access to other linked sites. In addition, the method and system provides users with opportunities to engage in on-line conversations with fitness instructors, coaches, doctors, and others that may be on-line. Moreover, the method and system categorizes users within control groups and develops user improvement plans for improving the users' fitness, nutrition, and/or wellness. The improvement plans, which are based on practical guidelines and advice, are periodically updated by the method and system if the plans are not consistent with the previous expectations. Furthermore, the users are recategorized if the user fails to meet his or her plan.

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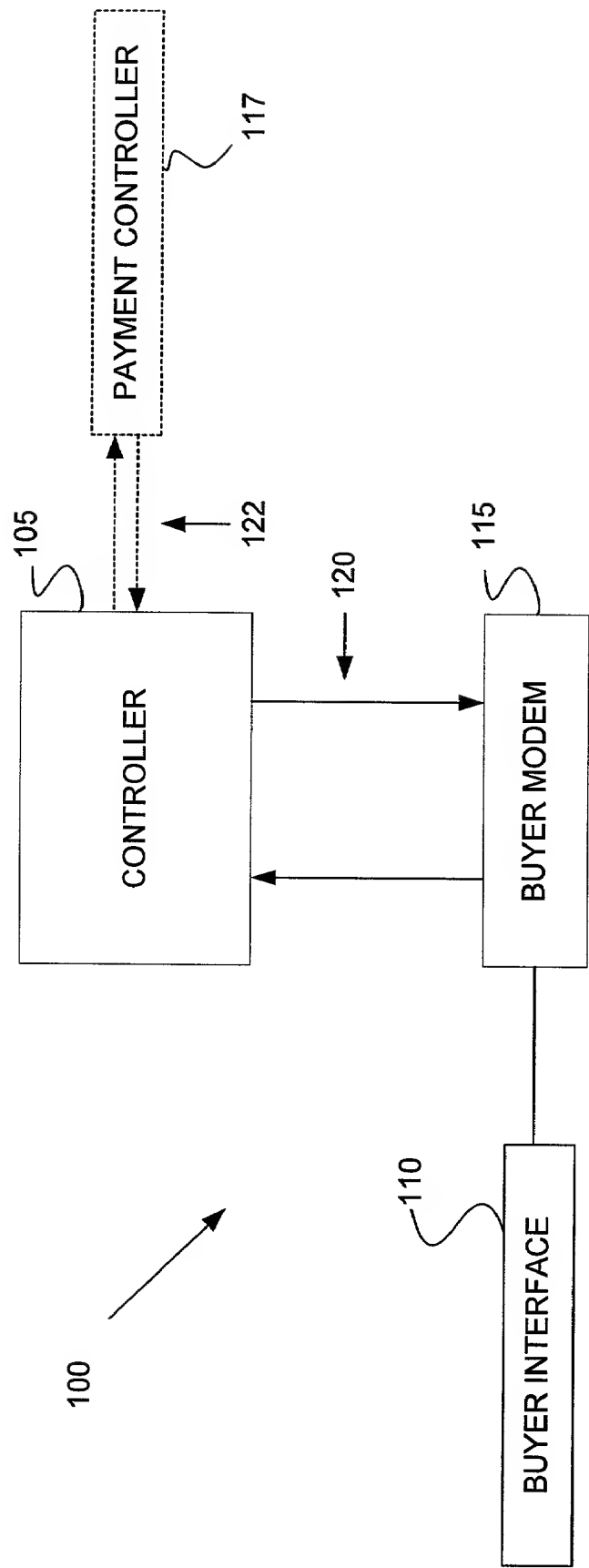


FIG. 1

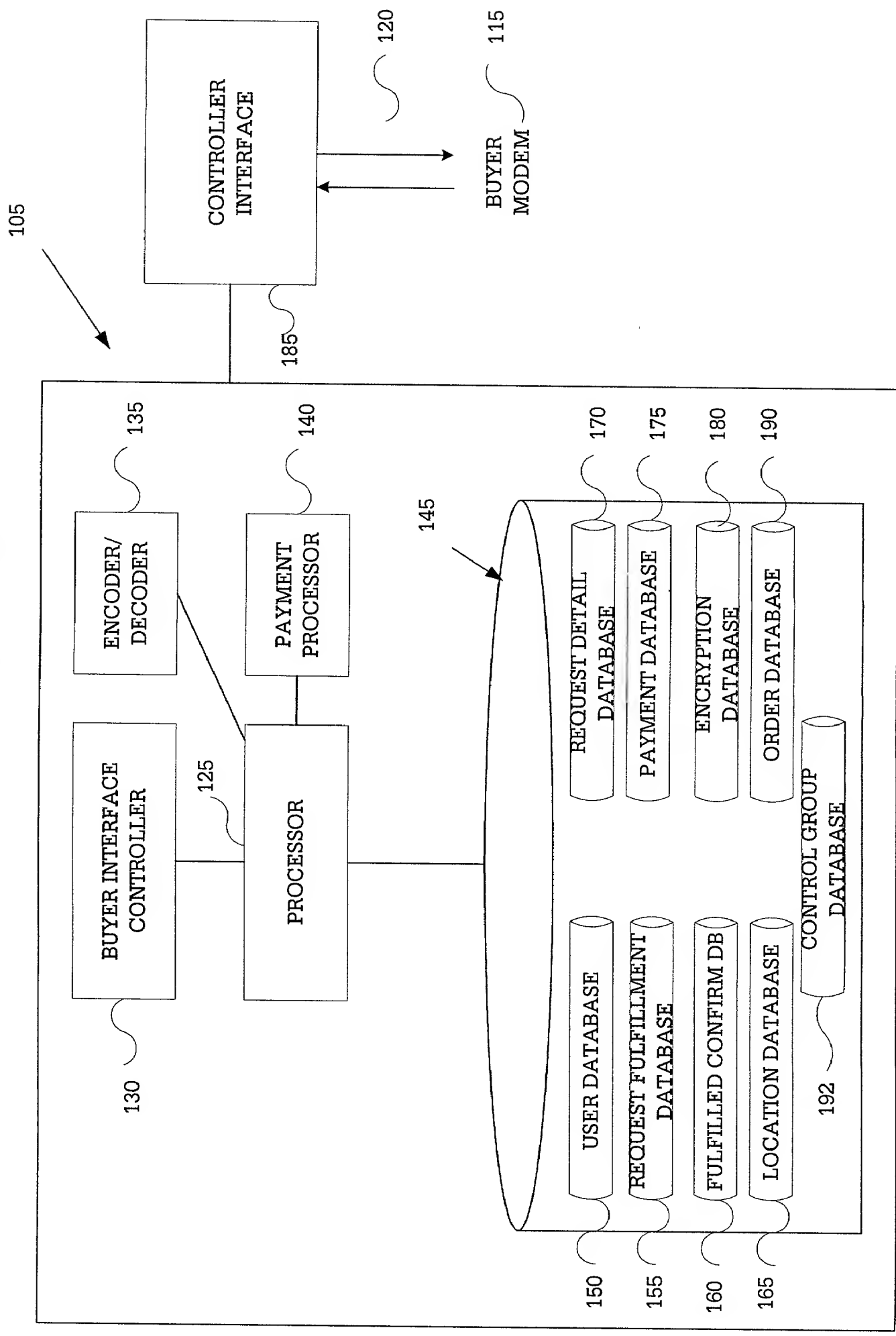


FIG. 2

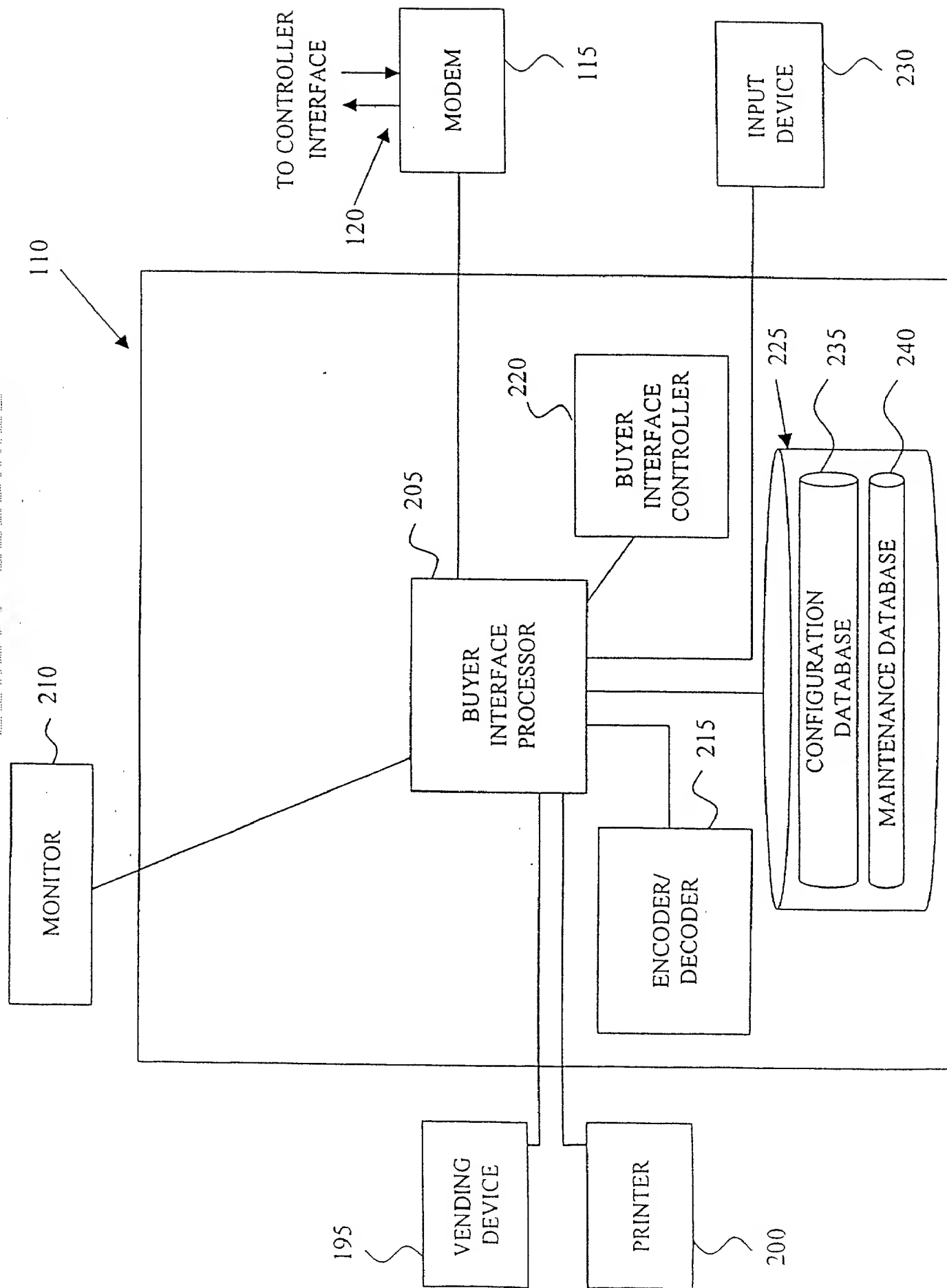


FIG. 3

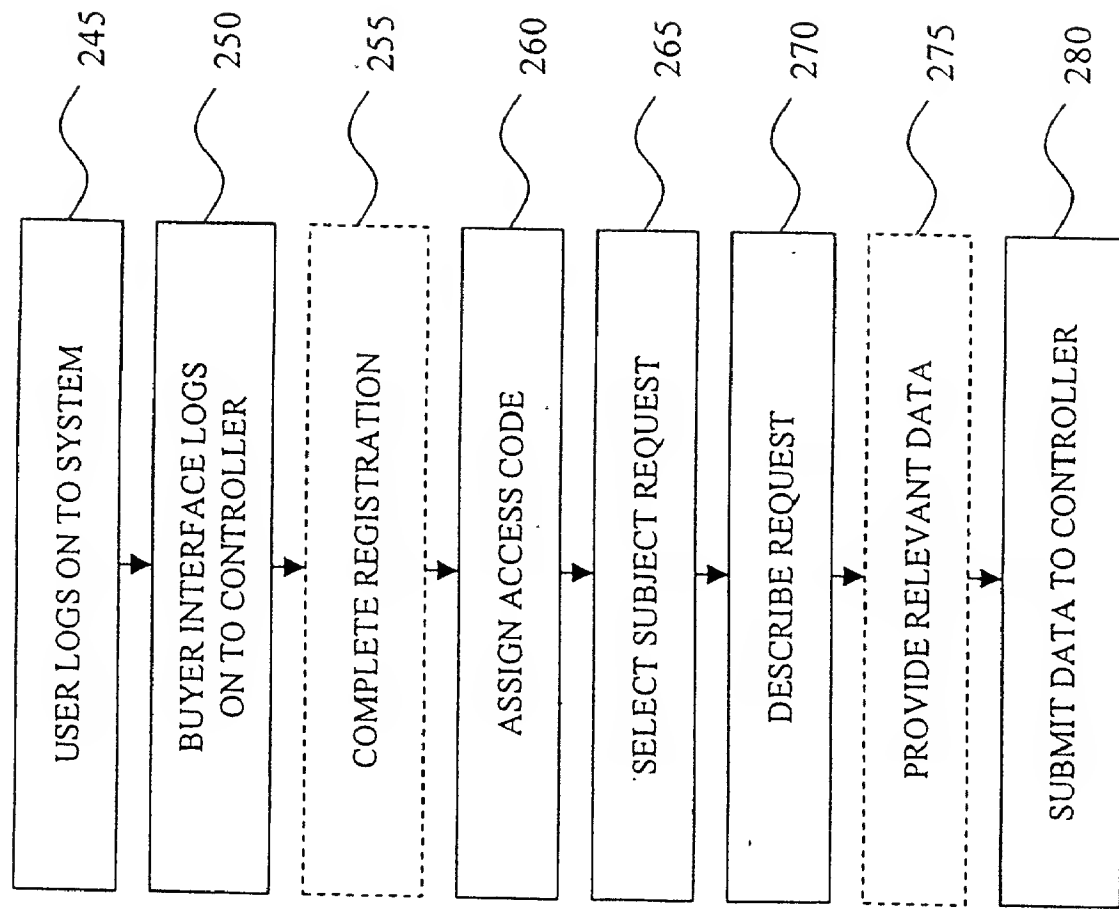
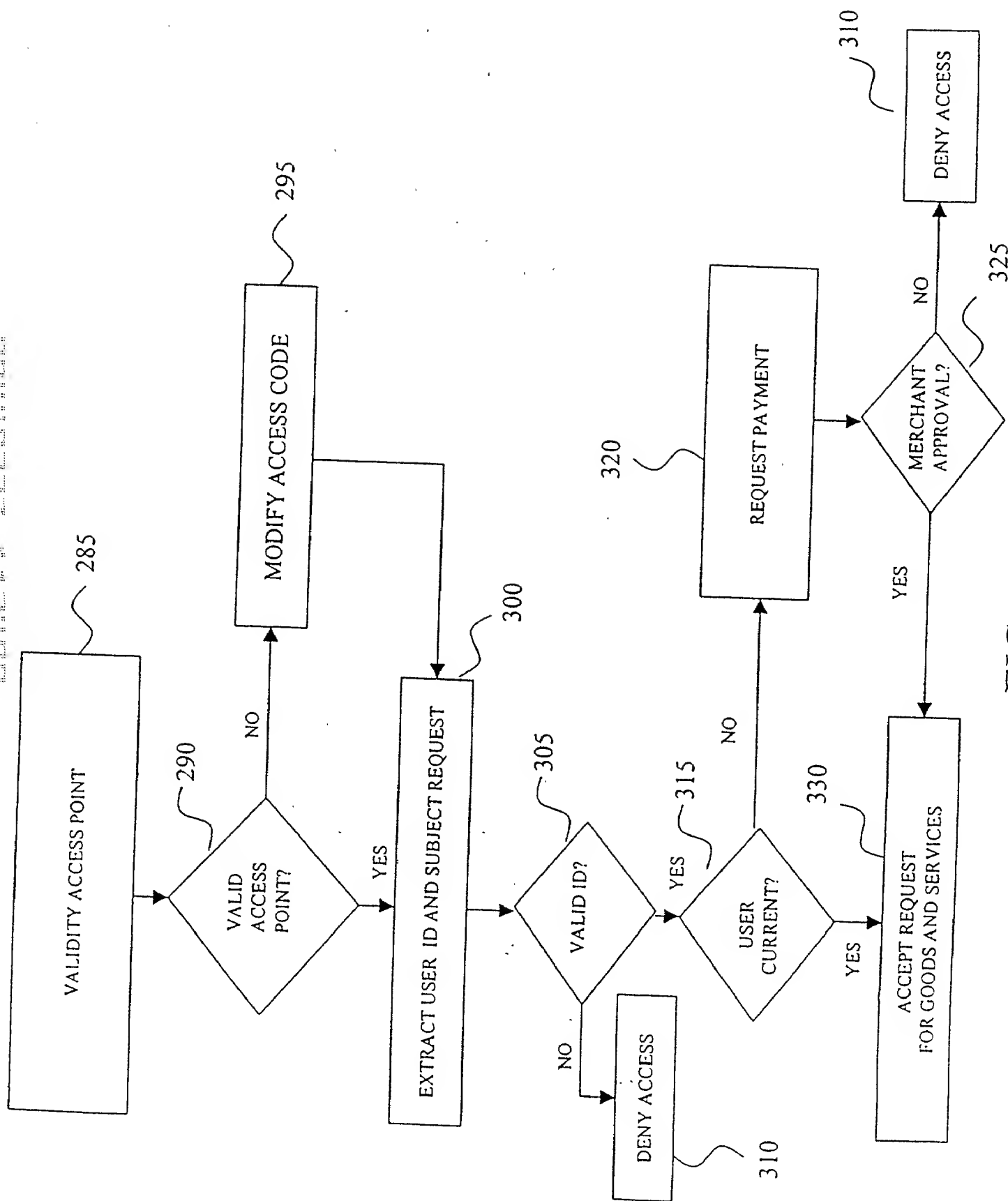


FIG. 4



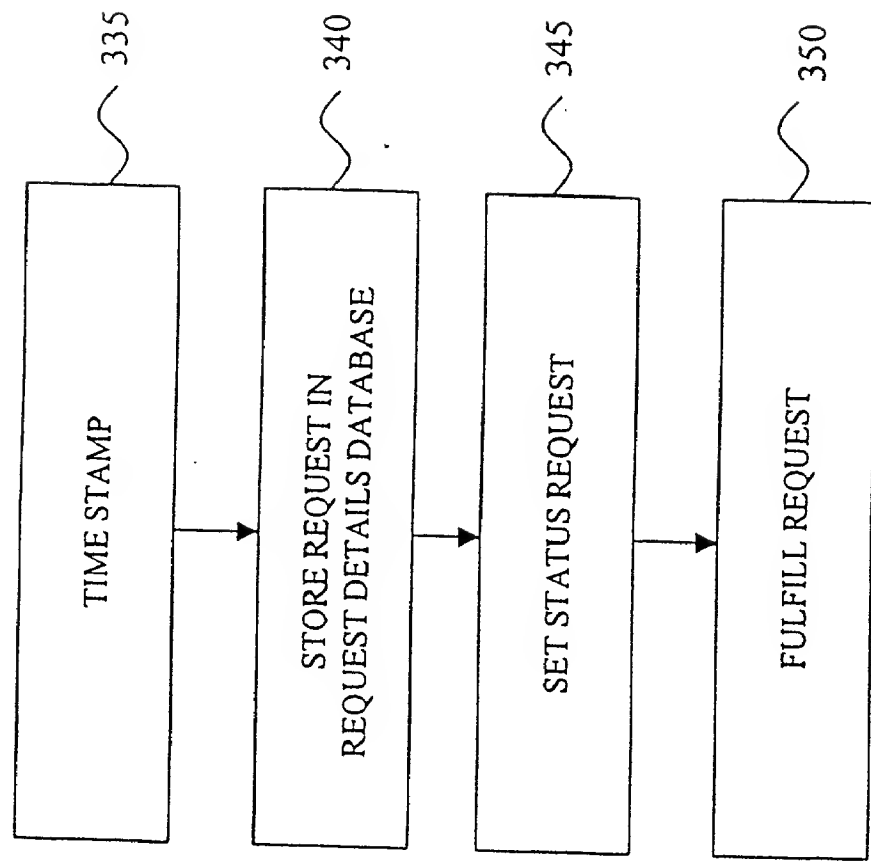


FIG. 6

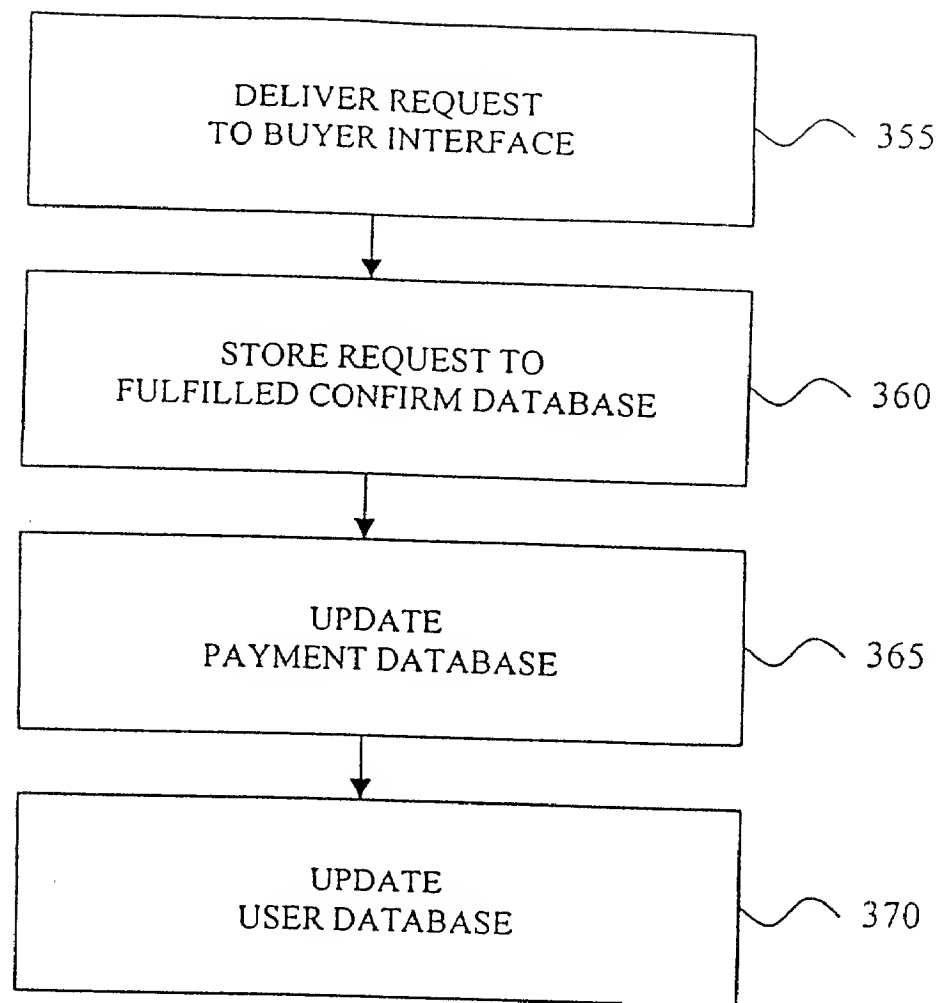


FIG. 7



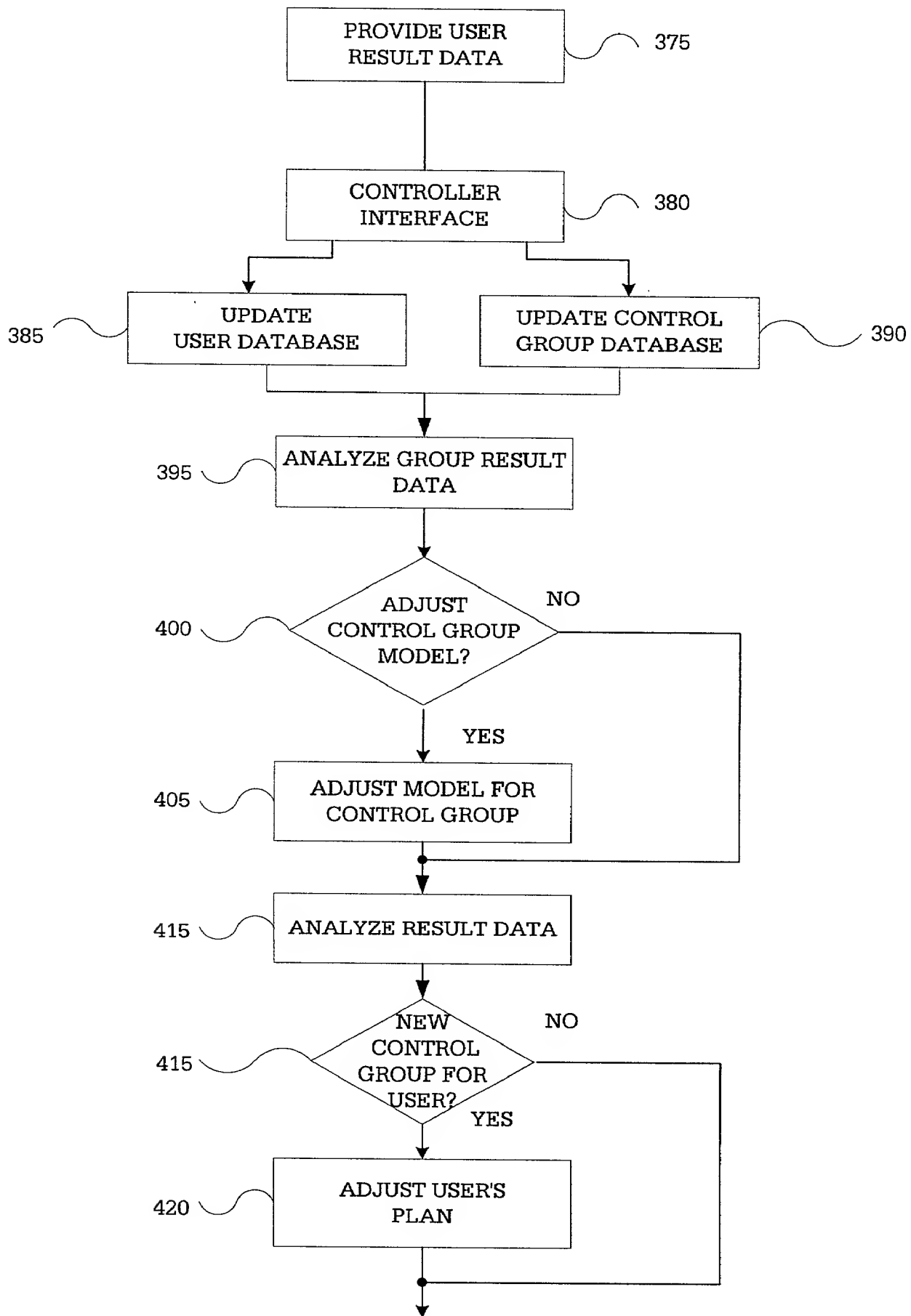


FIG. 8

Declaration and Power of Attorney For Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "METHOD AND SYSTEM FOR PROVIDING ON-LINE WELLNESS AND RETAIL ACCESS THROUGH A DISTRIBUTED NETWORK" (Attorney Docket No. 23091/9001), the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

And I hereby appoint JOSEPH A. GEMIGNANI (Reg. No. 19,482), ROBERT E. CLEMENCY (Reg. No. 19,287), DAVID B. SMITH (Reg. No. 27,595), DAVID R. PRICE (Reg. No. 31,557), CASIMIR F. LASKA (Reg. No. 30,862), DAVID L. DEBRUIN (Reg. No. 35,489), TIMOTHY M. KELLEY (Reg. No. 34,201), BILLIE JEAN STRANDT (Reg. No. 36,940), THOMAS A. MILLER (Reg. No. 36,871), KEVIN P. MORAN (Reg. No. 37,193), GERALD L. FELLOWS (Reg. No. 36,133), DEREK C. STETTNER (Reg. No. 37,945), EDWARD R. LAWSON (Reg. No. 41,931), JAMES A. COLLINS (Reg. No. 43,557), DANIEL S. JONES (Reg. No. 42,697), SANDIP S. MINHAS (Reg. No. P-44,945), ANDREW R. PERET (Reg. No. 41,246), RANDALL W. FIELDHACK (Reg. No. 43,611), CHRISTOPHER B. AUSTIN (Reg. No. 41,592), GRADY I. FRENCHICK (Reg. No. 29,018), TERESA J. WELCH (Reg. No. 33,049), LINDA BLAIR MEIER (Reg. No. 39,769), PAUL F. DONOVAN (Reg. No. 39,962) and KAREN B. KING (Reg. No. 41,898), Michael Best & Friedrich LLP; and ROBERT S. BEISER (Reg. No. 28,687), WITOLD A. ZIARNO (Reg. No. 39,888), and W. DENNIS DREHKOFF (Reg. No. 27,193), Michael Best & Friedrich (Illinois), and each or any of them, my attorneys or agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

ADDRESS ALL COMMUNICATIONS IN OR PERTAINING TO THIS APPLICATION TO:

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MICHAEL BEST & FRIEDRICH LLP  
100 East Wisconsin Avenue  
Milwaukee, WI 53202-4108

I hereby claim priority benefit under Title 35, United States Code, §119 of the provisional U.S. patent application listed below:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/118,262	February 2, 1999	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: James Prescott Curry

Inventor's signature

Date

Residence:

Citizenship:

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United States

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Jupiter, Florida 20231

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